

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

**CASE NO. 02-80105
HON. DENISE PAGE HOOD¹**

JEFFERY SCOTT QUINTANA,

Defendant.

_____ /

ORDER DENYING POST-JUDGMENT PETITIONS/MOTIONS

On December 18, 2002, Defendant Jeffery Scott Quintana entered a plea of guilty to Bank Robbery, Count 2 of the Information pursuant to a Rule 11 Plea Agreement. (Doc. No. 10) On July 14, 2003, Quintana was sentenced by the Honorable John Feikens to 151 months of imprisonment in the custody of the United States Bureau of Prisons, followed by 3 years of supervised release. (Doc. No. 14)

On April 18, 2014, Quintana's Supervised Release was modified to include residing at a Residential Reentry Center upon release from the Bureau of Prisons. (Doc. No. 15) Quintana was released from the Bureau of Prisons in Tucson, Arizona on April 18, 2014. On May 6, 2014, an arrest warrant was issued by this Court on a Supervised Release Violation Petition for failing to appear before the Probation

¹ This case was originally assigned to the Honorable John Feikens. The case was reassigned to the undersigned on April 16, 2014.

Department and failing to register as a sex offender. (Doc. No. 16) Quintana has yet to appear before this Court on the Supervised Release Violation Petition.

Recently, on April 6, 2015, Quintana filed a Petition for More Definite Statement. (Doc. No. 17) On April 21, 2015, Quintana filed the following: Petition for Waiver; a Counterclaim; Motion for Appointment of Counsel; and, a Petition for a More Definite Statement. (Doc. Nos. 18, 19, 20, 21) Quintana asserts he is currently serving 4 years for cocaine possession in the Texas Department of Criminal Justice, Buster Cole Unit in Bonham, Texas. (Doc. No. 19, Pg ID 45-46) In his “Counterclaim,” Quintana alleges that he did not breach the probation contract term because it was probation who failed to provide him residence after his release on April 18, 2014. *Id.* Quintana claims he was supposed to be provided residence by the Federal Adult Probation Department in Detroit, Michigan, but that he was released “without liability or having any residency.” *Id.* at Pg ID 47.

Quintana’s submissions appear to be a defense to the allegations set forth in the Supervised Release Violation Petition. Quintana will have the opportunity to raise any defense to the Supervised Release Violation Petition once he appears before this Court. At that time, Quintana will be appointed counsel to represent him. As noted above, Quintana has not appeared before the Court on the Supervised Release Violation Petition since he is currently serving a sentence in the Texas Department of

Criminal Justice. The Court denies Quintana's Petitions, Counterclaim and Motion for Appointment of Counsel without prejudice, pending his appearance before this Court.

Accordingly,

IT IS ORDERED that the following are **DENIED without prejudice**:

Petition for More Definite Statement (No. 17);
Petition for Waiver (No. 18);
Counterclaim (No. 19);
Motion for Appointment of Counsel (No. 20); and,
Petition for a More Definite Statement (No. 21).

S/Denise Page Hood

Denise Page Hood

United States District Judge

Dated: May 28, 2015

I hereby certify that a copy of the foregoing document was served upon counsel of record on May 28, 2015, by electronic and/or ordinary mail.

S/LaShawn R. Saulsberry

Case Manager